

Amendment No. 1 to HB0877

**Halford
Signature of Sponsor**

AMEND Senate Bill No. 1349

House Bill No. 877*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-1610, is amended by designating the existing language as subsection (a) and by adding the following new subsection (b):

(b) Notwithstanding Chapter 994 of the Public Acts of 2000, or any other provision of law to the contrary, the remaining amount of the fee levied by § 67-4-1603 that is not retained by the dealer pursuant to subsection (a) shall be allocated as follows:

(1) If a county does not have a tire grant contract with the department of environment and conservation pursuant to the tire grant program administered under § 68-211-867, one dollar (\$1.00) per tire sold in that county shall be sent directly by the commissioner of revenue to such county to be used for beneficial end use of waste tires in accordance with § 68-211-867 and not used for any other purposes. The remaining balance of the fee shall be allocated to the solid waste management fund established by § 68-211-821. The county shall include in its annual progress report to the department of environment and conservation pursuant to § 68-211-814(a) data on how many waste tires it manages and what is done with them; or

(2) If a county has a tire grant contract with the department of environment and conservation pursuant to the tire grant program administered under § 68-211-867, or had such a tire grant contract that was in effect at the time the fee was imposed, the remainder of the fee per tire sold in that county

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shall be allocated to the solid waste management fund established by § 68-211-821. The department of environment and conservation shall return a minimum of one dollar (\$1.00) per tire sold in such counties to the county under its grant contract. If the grant contract either does not allow the department of environment and conservation to return a minimum of one dollar (\$1.00) per tire sold in a county to such county, or would require repayment of any such funds, the department of environment and conservation shall return a minimum of one dollar (\$1.00) per tire sold in such county to the county through additional grants, unrelated to the tire grant contract, for beneficial end use of waste tires in accordance with § 68-211-867 and not used for any other purposes. Such counties are not required to submit any additional workplan, budget, or other similar document. Any such additional grants shall be based on one dollar (\$1.00) per tire sold in the county minus any amounts returned under the tire grant contract. The county shall include in its annual progress report to the department of environment and conservation pursuant to § 68-211-814(a) data on how many waste tires it manages and what is done with them.

SECTION 2. It is the purpose of this act to require that a minimum of one dollar (\$1.00) of the one dollar and thirty-five cents (\$1.35) per tire pre-disposal fee be returned to the county in which the fee was imposed regardless of whether the county has a tire grant contract with the department of environment and conservation.

SECTION 3. This act shall take effect on July 1, 2014, the public welfare requiring it, and shall apply to any pre-disposal fee received by the commissioner of revenue or the

department of environment and conservation after such effective date regardless of when the fee was imposed.